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EXTRAORDINARY

भाग III—खण्ड 2

PART III—Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF EXTERNAL AFFAIRS

NOTIFICATION

New Delhi, the 18th January 1968

No. L/451(1)/68.—In exercise of the powers conferred by Section 3 of the United Nations (Privileges and Immunities) Act, 1947 (46 of 1947), the Central Government hereby declares that the provisions of clauses (a), (b) and (g) of Section 18 and Sections 19 and 20 contained in Article V of the Schedule to the said Act shall apply, *mutatis mutandis*, to the officers of the Commonwealth Secretariat provided they are not Indian nationals, while visiting India, subject to the following modifications, namely:—

1. In Section 18,—

(i) in clause (a), the following shall be added at the end, namely:—

", except in respect of civil actions for damages alleged to have been caused by motor vehicles belonging to or driven by them, or in respect of motor traffic offences involving such vehicles";

(ii) in clause (g), the following shall be added at the end, namely:—

", including private motor vehicles, for their use and for the use of the members of their families forming part of their household.

(iii) after clause (g), the following clause shall be added, namely:—

"(h) be given the like inviolability for all their official papers and documents as is accorded by law to the diplomatic agent of a sending State."

2. For Sections 19 and 20, the following Sections shall be substituted, namely:—

"Section 19.—Senior officers of the Commonwealth Secretariat shall be accorded in respect of themselves and members of their families forming part of their household the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with international law.

Explanation.—"Senior officer" means an officer of the Secretariat recognised by the Secretary to the Government of India in the Ministry of External Affairs, as being a senior officer of the Secretariat.

Section 20.—The privileges and immunities granted to the officers of the Commonwealth Secretariat and members of their families may be waived by the Secretary-General or any person for the time being exercising his functions. If in any proceedings any question arises whether or not any person is entitled to any privilege or immunity under this Article, a certificate issued by or under the authority of the Secretary to the Government of India in the Ministry of External Affairs stating any fact relevant to that question shall be conclusive evidence of that fact.".

DR. K. KRISHNA RAO, Jt. Secy.